



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

April 14, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**DEPARTMENT OF PARKS AND RECREATION:
APPROVAL OF SPECIAL ENGINEERING AND CONSULTANT CONTRACT
FOR PROVISION OF ENGINEERING SERVICES PURSUANT
TO THE LANDSCAPING AND LIGHTING ACT OF 1972
AND PROPOSITION 218 OF 1996
(SUPERVISORIAL DISTRICTS 1, 3, 4, AND 5) (3 VOTES)**

SUBJECT

Approve a contract with a qualified contractor for as-needed engineering and consultant services pursuant to the Landscaping and Lighting Act of 1972.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find the proposed actions exempt from the California Environmental Quality Act (CEQA), for the reasons cited herein.
2. Direct and authorize the Director of the Department of Parks and Recreation (Director) to sign a Special Engineering and Consultant Contract (Contract) with Willdan Financial Services for the provision of as-needed engineering and consultant services pursuant to the Landscaping and Lighting Act of 1972, hereinafter referred to as "the Act," and Proposition 218 of 1996, in an amount not to exceed \$94,460 for the initial two-year term effective upon Board approval, and funded from special benefit assessments collected pursuant to the Act.

3. Authorize the Director to exercise the Contract renewal options annually for up to three additional two-year periods, in an amount not to exceed \$47,230 per year, if in the opinion of the Director, the contractor has successfully performed the services during the previous contract period and the services are still required. The renewal option years may include a cost-of-living adjustment per option year in an amount as determined by the Chief Executive Office.
4. Authorize the Director to expend an additional 10 percent of the Contract costs per year, due to changes affecting monthly volume projections, within the scope of the Contract.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Department of Parks and Recreation (Department), through its Special Districts Section, administers 43 separate landscape and general maintenance zones. These zones cover approximately 38,000 parcels and are funded from property assessments pursuant to the Act. Under the Act and Proposition 218 of 1996, an annual engineer's report must be prepared identifying the special assessment benefits to be funded in each zone and providing documentation for district formations and annexations, as required. Engineering and consultant services for the district include, but are not limited to:

1. Developing annual reports in compliance with the Act, Proposition 218 of 1996, and any other constitutional and statutory requirements;
2. Maintaining a complete parcel list, identifying each parcel by its Assessor's parcel number and determining the assessment to be levied against each parcel for each zone;
3. Verifying that parcels within each zone or district are identified and assessed appropriately;
4. Identifying new zones and creating new parcel lists; and
5. Providing assessment information for each parcel to the Auditor-Controller for placement on the property tax roll.

In order to provide the necessary services identified above, the Department is requesting approval of a contract with Willdan Financial Services for the provision of engineering and consultant services on an as-needed basis.

In addition to the above services, Willdan Financial Services will also:

1. Correct and resubmit assessment amounts that are rejected by the Auditor-Controller's system until successfully resolved;
2. Field inquiries from department staff, property owners, and other interested parties regarding district proceedings and annual assessments;
3. Provide ballot services for proposed new assessment or increases by the private sector under a Director-approved agreement; and
4. Approval of this Contract will provide the flexibility needed to complete various engineering tasks, thereby enabling the Department to continue providing engineering services at the current levels. The Department will not request the contractor to perform services that will exceed the approved maximum not-to exceed the Contract amount or services that are outside the scope of work or the term of the Contract, without prior approval from the Board.

Implementation of Strategic Plan Goals

The proposed Contract with Willdan Financial Services will further Board approved County Strategic Plan Goal of Operational Effectiveness (Goal 1), by providing quality benefit analysis and parcel assessments to ensure the appropriate parcels and corresponding assessments are properly identified, correctly assessed, and accurately included within each zone.

FISCAL IMPACT/FINANCING

The recommended actions will have no impact on the County's General Fund as the services are funded through special benefit assessments on properties within the Landscaping and Lighting Act Districts and Zones therein. The maximum Contract amount for services that can be approved in the initial two-year term of the Contract is \$94,460. The amounts to be paid to Willdan Financial Services are determined based on fixed fee amounts as provided for in Exhibit A of the attached Contract. This Contract may also be extended for three two-year options not to exceed \$47,230 per year. Sufficient appropriation is budgeted in the Special Districts Fiscal Year (FY) 2008–09 and FY 2009–10 budgets to fund the cost of this Contract.

Operating Budget Impact

The recommended action will have no impact on the Department's operating budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to Proposition 218 of 1996, a registered professional engineer is required to prepare an engineer's report. Under this Contract, Willdan Financial Services has in-house registered engineers and the necessary staff to provide engineering and consultant services on an as-needed basis. The project assignments shall be based upon timelines established for the certified annual engineer's report, review of reports for the formation of new zones, verifying assessor parcel numbers, and other services as required. The extent of the services performed and actual work assignments will be determined during the term of the Contract based on the tasks required and the availability of funds. Options will be exercised based upon the contractor's compliance with the Contract terms.

The Contract includes termination provisions for non-performance, improper consideration and convenience. In addition, the Contract also contains all applicable Board mandated Contract provisions, including Safely Surrendered Baby Law, non-payment for services provided after the expiration date or in excess of the authorized Contract sum, notification requirements of the contractor, Jury Service Program, GAIN/GROW Program, Federal Earned Income Credit notification, Quality Assurance Plan, Recycled Paper, Debarment and Indemnification, and Insurance. The Child Support Services Department has approved the Child Support Compliance Program provision of this Contract and issued a certificate of compliance for the contractor.

Willdan Financial Services has executed the attached Contract and will provide the required insurance policy naming the County of Los Angeles as an additional insured. In addition, the County Counsel has approved the attached Contract as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed action is exempt from the CEQA, according to Section 15273(a)(1)(2)(3)(4) of the State CEQA Guidelines because the CEQA does not apply to the establishment, modification, structuring or approval of rates, tolls, fares or other charges by public agencies.

The proposed actions are also categorically exempt from the CEQA, according to Sections 15306 of the State CEQA Guidelines and Class 6 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, because the project involves basic data collection.

CONTRACTING PROCESS

This Contract is exempt under Chapter 2.121 of the Los Angeles County Code, which provides guidelines for contracting with the private businesses because:

- The Contract is for personal services to provide an independent analysis/evaluation, review and/or audit of an existing or proposed County project, function or program, and there is a need to obtain an independent analysis.

On January 29, 2009, the Department commenced the solicitation for the provision of as-needed engineering and consultant services by posting on the County "Doing Business with Us" website as well as the Department's website. The notice included bilingual instructions on how to contact the Department regarding the solicitation.

On February 18, 2009, two proposals were received in response to this Invitation for Bids for the provision of engineering and consultant services. The Department staff reviewed each of these bids for cost, business experience, performance history with similar projects, technical expertise, and the ability to accomplish the required engineering and consultant services.

Willdan Financial Services submitted the lowest cost proposal estimated to be \$47,230. The contractor was selected without regard to gender, race, creed or color.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended Contract with Willdan Financial Services will provide the necessary as-needed engineering and consultant services for the Special Districts. Since this service is currently being provided by the private sector, there will be no impact to existing staff or service level.

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CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward one adopted copy of this action to the Chief Executive Office, County Counsel, and Auditor-Controller and two adopted copies to the Department of Parks and Recreation.

Respectfully submitted,



RUSS GUINEY
Director

RG:DM:KEH:
PM:rc

Attachments

c: County Counsel